

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

|                                 |   |                               |
|---------------------------------|---|-------------------------------|
| <b>UNITED STATES OF AMERICA</b> | ) |                               |
|                                 | ) |                               |
| <b>vs.</b>                      | ) | <b>Case No. 1:06CR290-WKW</b> |
|                                 | ) |                               |
| <b>TIVARI TYRELL MUSGROVE</b>   | ) |                               |

**PRETRIAL CONFERENCE ORDER**

A pretrial conference was held on January 12, 2007, before the undersigned Magistrate Judge. Present at this conference was the Honorable Jennifer Hart, counsel for the defendant, and Assistant United States Attorney Tommie Hardwick, counsel for the government. As a result of the conference, it is

**ORDERED** as follows:

1. Jury selection is set for **February 5, 2007**. The trial of this case is set for the trial term commencing on **February 5, 2007** before **United States District William Keith Watkins** and is expected to last one day for trial.

2. There are no motions currently pending.

3. Proposed voir dire questions shall be filed on or before **January 29, 2007**. Counsel should not include questions seeking information which is provided in the jury questionnaire.

4. All Motions in Limine shall be filed on or before **January 29, 2007**. Motions in Limine must be accompanied by a brief. Failure to file a brief will result in denial of the motion.

5. Proposed jury instructions shall be filed on or before **January 29, 2007**.

6. The court will not consider a plea pursuant to Rule 11(c) (1)(A) or (C) unless notice is filed on or before **noon on January 24, 2007**. The government and defendant are informed that if a defendant waits until the last minute to enter a plea, and if that plea, for whatever reason, is not accepted by the court, the defendant and the government will be expected to be prepared to go to trial on **February 5, 2007**. The court will not continue the trial of this case as to any defendant because a defendant's plea was not accepted. In other words, the defendant and the government should not wait until the last minute for a defendant to enter a guilty plea, and both the defendant and the government should all be ready to go to trial on **February 5, 2007**, as to all defendants, even though a particular guilty plea was not accepted by the court.

Done this 16<sup>th</sup> day of January, 2007.

/s/Charles S. Coody  
CHARLES S. COODY  
CHIEF UNITED STATES MAGISTRATE JUDGE